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Elimination of racism and racial discrimination

Argentina, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Denmark, Dominican Republic, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Pakistan, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine and United Kingdom of Great Britain and Northern Ireland: draft resolution

International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,[1] most recently resolution 55/81 of 4 December 2000,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance throughout the world,

Welcoming the affirmation that universal adherence to and full implementation of the Convention are of paramount importance for promoting equality and non-discrimination in the world, as stated in the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3]

[1] Resolution 2106 A (XX), annex.
[2] A/CONF.157/24 (Part I), chap. III.
[3] See A/CONF.189/12, chap. I.

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Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Mindful of the importance of the contributions of the Committee to the effective implementation of the Convention and to the efforts of the United Nations to combat racism, racial discrimination, xenophobia and related intolerance, as well as all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Noting that the reports submitted by States parties under the Convention contain, inter alia, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination,[4] to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I
Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its fifty-eighth and fifty-ninth[5] and its sixtieth and sixty-first[6] sessions;

2. *Commends* the Committee for its continuing efforts to contribute to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[1] especially the examination of reports under article 9 and action on communications under article 14 of the Convention, which contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

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[4] See CERD/SP/45, annex.

[5] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 18* and corrigendum (A/56/18 and Corr.1).

[6] Ibid., *Fifty-seventh Session, Supplement No. 18* (A/57/18).

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that the Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Commends* the Committee for its continuing contribution to the prevention of racism, racial discrimination, xenophobia and related intolerance, and welcomes its relevant action thereon;

7. *Encourages* the Committee to continue to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action,[7] including by continuing to cooperate and exchange information with United Nations bodies and mechanisms and intergovernmental organizations, in particular with the Subcommission on the Promotion and Protection of Human Rights and with the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as with non-governmental organizations;

8. *Encourages* States parties to continue to include a gender perspective in their reports to the Committee, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

9. *Expresses its appreciation* to the Committee for its valuable participation in and contributions to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including its preparatory process;

10. *Invites* the Committee to consider the relevant provisions of the Durban Declaration and Programme of Action[3] in the discharge of its mandate;

II
Financial situation of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[8]

2. *Expresses its profound* concern about the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination[1] have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

3. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the

[7] Resolution 49/146, annex.
[8] A/57/333.

Elimination of All Forms of Racial Discrimination on 15 January 1992,[4] endorsed by the General Assembly in its resolution 47/111 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

4. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

5. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its fifty-ninth session;

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

1. *Takes note* of the report of the Secretary-General[9] on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;

2. *Expresses its satisfaction* at the number of States that have ratified the Convention or acceded thereto, which now stands at one hundred and sixty-five;

3. *Reaffirms once again its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the realization of the objectives of the Third Decade to Combat Racism and Racial Discrimination and for the implementation of the commitments undertaken under the Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

4. *Urges* all States that have not yet become parties to the Convention to ratify it or accede thereto as a matter of urgency, with a view to universal ratification by the year 2005;

5. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international treaty law, to review their reservations on a regular basis with a view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

6. *Requests* the States parties to the Convention that have not yet done so to consider making the declaration provided for in article 14 of the Convention;

7. *Decides* to consider, at its fifty-ninth session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on the Elimination of Racial Discrimination on its sixty-second and sixty-third and its sixty-fourth and sixty-fifth sessions, respectively, the report of the Secretary-General on the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.

[9] A/57/334.